

disclose or suggest every claim element. For example, independent claim 5, from which claims 6 and 7 ultimately depend, recites a combination including, among other things, providing a tracking circuit which models the delay and the widening characteristics of the digital system. In the Office Action, the Examiner states that: "...because the tail estimation circuitry performs function of tracking channel distorted signal, a person of ordinary skill in the art would have recognized the interchangeability of the tail estimation circuitry as taught in Andre for the corresponding tracking circuit disclosed in the application claim." In fact, the tail estimation circuitry disclosed in Andre generates an estimate of a transient signal (Andre, col. 5 ll. 31-33). Estimation circuitry for estimating a transient signal is not the same as a tracking circuit that models delay and widening characteristics of a digital system, nor can it be interchangeable with the tracking circuit. Therefore, Andre fails disclose or suggest a tracking circuit for modeling the delay and widening characteristics of a digital system.

Because Andre does not disclose or suggest all of the claim features of claims 5, 6, and 7, the Section 103(a) rejection of these claims is improper and should be withdrawn.

Further, no *prima facie* case of obviousness has been established with respect to claim 8 for at least the reason that Andre fails to disclose or suggest every claim element. For example, claim 8 recites a combination including, among other things, a means for modeling the widening characteristics of a digital filter. In contrast, the tail estimation circuitry disclosed in Andre generates an estimate of a transient signal (Andre, col. 5 ll. 31-33). Estimation circuitry for estimating a transient signal is not the

same as a means for modeling the widening characteristics of a digital filter. Therefore, Andre fails disclose or suggest a means for modeling the widening characteristics of a digital filter.

Because Andre does not disclose or suggest all of the claim features of claim 8, the Section 103(a) rejection of this claim is improper and should be withdrawn.

In view of the foregoing, Applicants respectfully request reconsideration and reexamination of this application and timely allowance of the pending claims.


The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement of characterization in the Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: August 12, 2005

By: 
Brad C. Rametta
Reg. No. 54,387